

Article - Criminal Procedure

[\[Previous\]](#)[\[Next\]](#)

§11–111.

(a) (1) Before ordering a test under § 11-110 of this subtitle and subject to the provisions of subsection (d) of this section, the court shall hold a hearing at which both the victim or victim's representative and the person charged with a prohibited exposure have the right to be present.

(2) The victim or victim's representative and the person charged with a prohibited exposure shall be notified of:

(i) the date, time, and location of the hearing; and

(ii) their right to be present at the hearing.

(b) During the hearing, a court may admit into evidence only affidavits, counter-affidavits, and medical records that:

(1) relate to the material facts of the case; and

(2) support or rebut a finding of probable cause to issue a court order.

(c) The written request of the victim or victim's representative shall be filed by the State's Attorney with the court and sealed by the court.

(d) Except for good cause, the court shall:

(1) hold the hearing within 30 days of the State's Attorney's presentment of the victim's written request to the court; and

(2) issue an order granting or denying the request within 3 days of the conclusion of the hearing.

[\[Previous\]](#)[\[Next\]](#)